

**RESOLUTION NO. 204-206**

**RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO, CALIFORNIA, APPROVING THE AWARD OF AN AGREEMENT WITH KYA SERVICES, LLC. IN THE AMOUNT OF \$633,472.00 FOR THE LYTLE CREEK FUTSAL FIELD (PROJECT); AUTHORIZING THE CONSTRUCTION CONTINGENCIES, CONSTRUCTION MANAGEMENT, AND ADMINISTRATIVE COSTS IN THE TOTAL AMOUNT OF \$99,025.66 FOR CONSTRUCTION OF THE PROJECT; AUTHORIZING THE DIRECTOR OF FINANCE AND MANAGEMENT SERVICES TO AMEND THE FY 2024/25 CIP BUDGET WITH AN ADDITIONAL \$140,000.00 FROM THE CULTURAL DEVELOPMENT CONSTRUCTION FUND TO BRING THE TOTAL PROJECT BUDGET TO \$740,000.00; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXECUTE ALL DOCUMENTS WITH KYA SERVICES, LLC; AUTHORIZING THE CITY MANAGER OR DESIGNEE TO EXPEND THE CONTINGENCY FUND, IF NECESSARY, TO COMPLETE THE PROJECT; AND FINDING THE PROJECT EXEMPT FROM THE CALIFORNIA ENVIRONMENTAL QUALITY ACT PURSUANT TO STATE CEQA GUIDELINES SECTION 15303 (“NEW CONSTRUCTION OR CONVERSION OF SMALL STRUCTURES”).**

**WHEREAS**, the City of San Bernardino (“City”) desires to improve the Lytle Creek Park amenities to improve community engagement, physical activity, and social interaction (the “Lytle Creek Project”); and

**WHEREAS**, the Lytle Creek Project seeks to resurface an existing unused parking lot and convert a portion into a futsal field; and

**WHEREAS**, the development of the futsal field aims to meet the growing demand for recreational sports facilities in the area, providing a valuable asset for local youth and community sports programs; and

**WHEREAS**, on February 2, 2022, the Mayor, and City Council adopted Resolution No. 2022-026 approving the assignment of American Rescue Plan Funds; and

**WHEREAS**, the designated funds are focused on critical infrastructure projects within the City, including the Lytle Creek Project; and

**WHEREAS**, the Lytle Creek Project was advertised for public bidding on May 22, 2024, on PlanetBids with the City receiving six sealed bids; and

**WHEREAS**, City staff reviewed all bid packages and determined that KYA Services, LLC was the lowest responsible and responsive bidder; and

**WHEREAS**, an additional budget action is need to provide full funding for the Lytle Creek Project.

**BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SAN BERNARDINO AS FOLLOWS:**

**SECTION 1.** The above recitals are true and correct and are incorporated herein by this reference.

**SECTION 2.** The Mayor and City Council hereby authorize the City Manager to approve the award of an Agreement with KYA Services, LLC. in the amount of \$633,472.00 for Lytle Creek Futsal Field (Project).

**SECTION 3.** The Mayor and City Council hereby authorize the construction contingencies, construction management, and administrative costs in the total amount of \$99,025.66 for construction of the Project.

**SECTION 4.** The Mayor and City Council hereby authorize the Director of Finance and Management Services to amend the FY 2024/25 CIP budget with an additional \$140,000.00 from the Cultural Development Construction Fund to bring the total project budget to \$740,000.00.

**SECTION 5.** The Mayor and City Council hereby authorize the City Manager or designee to execute all documents with KYA Services, LLC.

**SECTION 6.** The Mayor and City Council hereby authorize the City Manager or designee to expend the contingency fund, if necessary, to complete the project.

**SECTION 7.** The Mayor and City Council finds this Resolution is categorically exempt from the California Environmental Quality Act (“CEQA”) pursuant to State CEQA Guidelines Section 15303, New Construction or Conversion of Small Structures (“Class 3”). The Class 3 exemptions allows for the conversion of existing facilities from one use to another where only minor modifications are made to the facility. Here, the Project involves resurfacing the existing parking lot and using a portion to create a futsal field with synthetic turf and fencing. The Mayor and City Council also find this Resolution is also not subject to any exception to the Class 3 exemption, as set forth in State CEQA Guidelines section 15300.2.

**SECTION 8.** Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications, and to this end the provisions of this Resolution are declared to be severable.

**SECTION 9.** Effective Date. This Resolution shall become effective immediately.

**APPROVED** and **ADOPTED** by the City Council and signed by the Mayor and attested by the City Clerk this \_\_\_\_ day of \_\_\_\_\_ 2024.

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Helen Tran, Mayor  
City of San Bernardino

Attest:

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Genoveva Rocha, CMC, City Clerk

Approved as to form:

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Sonia Carvalho, City Attorney

**CERTIFICATION**

STATE OF CALIFORNIA )  
COUNTY OF SAN BERNARDINO) ss  
CITY OF SAN BERNARDINO )

I, Genoveva Rocha, CMC, City Clerk, hereby certify that the attached is a true copy of Resolution No. 2024-206, adopted at a regular meeting held on the \_\_\_ day of \_\_\_\_\_ 2024 by the following vote:

<b><u>Council Members:</u></b>	<b><u>AYES</u></b>	<b><u>NAYS</u></b>	<b><u>ABSTAIN</u></b>	<b><u>ABSENT</u></b>
SANCHEZ	_____	_____	_____	_____
IBARRA	_____	_____	_____	_____
FIGUEROA	_____	_____	_____	_____
SHORETT	_____	_____	_____	_____
REYNOSO	_____	_____	_____	_____
CALVIN	_____	_____	_____	_____
ALEXANDER	_____	_____	_____	_____

WITNESS my hand and official seal of the City of San Bernardino this \_\_\_ day of \_\_\_\_\_ 2024.

\_\_\_\_\_  
Genoveva Rocha, CMC, City Clerk